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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ANNE BLOCK, an individual,

10 Plaintiff,

11 v.

12 WASHINGTON STATE BAR
ASSOCIATION, et al.,

13 Defendants.

CASE NO. C15-2018RSM

ORDER TO SHOW CAUSE

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15 This matter is before the Court *sua sponte* after remand from the Ninth Circuit Court of
16 Appeals. The Ninth Circuit vacated this Court's order as it related to imposition of a vexatious
17 litigant pre-filing order imposed by this Court and remanded for further proceedings to assure
18 that the correct procedure was followed. Specifically, the Ninth Circuit reiterated that prior to
19 imposing a vexatious litigant pre-filing order, this Court must:

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21 (1) give litigants notice and an opportunity to oppose the order before it [is]
22 entered; (2) compile an adequate record for appellate review, including a listing
23 of all the cases and motions that led the district court to conclude that a vexatious
24 litigant order was needed; (3) make substantive findings of frivolousness or
harassment; and (4) tailor the order narrowly so as to closely fit the specific vice
encountered.

25 Dkt. #213 at 3 (quoting *Ringgold-Lockhart v. City of Los Angeles*, 761 F.3d 1057, 1062 (9th Cir.
26 2014)) (citations and internal quotation marks omitted).

1 There is little question that the last three elements are satisfied. Prior to imposing its
2 order, this Court noted that an adequate record for review had been assembled in support of the
3 order. Dkt. #122 at 24 (incorporating Dkt. #48 at ¶ 3). The Court made substantive findings as
4 to the frivolous and harassing nature of Plaintiff's repeated lawsuits.¹ *Id.* Lastly, the Court
5 narrowly tailored its order to closely fit the vice encountered. *Id.* at 25–26. The Ninth Circuit,
6 however, specifically noted that the record was unclear as to whether Plaintiff “had notice of the
7 pre-filing order or an opportunity to oppose it.” Dkt. #213 at 4. The only issue on remand is
8 whether Plaintiff has been afforded adequate notice and an opportunity to respond prior to the
9 Court imposing the vexatious litigant pre-filing order.
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11 Accordingly, the Court finds and ORDERS that Plaintiff shall SHOW CAUSE within
12 **thirty (30) days of this Order** why the Court should not reimpose the vexatious litigant pre-
13 filing order vacated by the Ninth Circuit Court of Appeals. Plaintiff's response to this Order
14 **shall not exceed twenty-four (24) pages**. No other responses or replies are permitted.
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16 Dated this 10 day of June 2019.

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18 RICARDO S. MARTINEZ
19 CHIEF UNITED STATES DISTRICT JUDGE
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25 ¹ The Court's finding as to the frivolous nature of this action were expressly affirmed by the
26 Ninth Circuit in the context of the Court's award of attorneys' fees. Dkt. #213 at 3 (“The district
court concluded that [Plaintiff's] claims were frivolous, and [Plaintiff] fails to demonstrate on
appeal that the district court erred in so concluding. We therefore affirm.”).